

### REMARKS/ ARGUMENTS

Claims 1-30 are pending. In this Amendment B, the applicants have amended claim 2, as previously authorized in Preliminary Amendment A. Claim 28 has also been amended to better describe the claimed invention.

In addition to the terminal disclaimers for US Patent Application Serial Nos. 09/958,050, 10/067,020, and US Patent No. 6,537,983 which were filed in Preliminary Amendment A, the applicants have included herewith terminal disclaimers to overcome the obviousness-type double patenting rejections raised by the examiner with regard to US Serial Nos. 10/066,951, 10/066,836, 10/066,964, and 10/281,735.

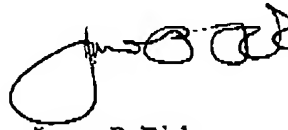
The applicants assert that the claims of the '951, '836, '964 and '735 applications and the claims of the instant application are patentably distinct from each other and that no obviousness-type double patenting is presented by the instant claims. The terminal disclaimers submitted herewith are made solely in an effort to expedite prosecution, and are made without prejudice. The submitted disclaimers have no effect on the actual term of any patent resulting from this application, as patents resulting from each of the disclaimed cases would have expired on the same date as a patent issuing from this application, even in the absence of the disclaimer.

In filing these disclaimers, applicant specifically reserves the right to address any double patenting issues in the future, should the need arise. Applicant makes particular note of MPEP 804.02 II and established case law findings of the Federal Circuit, in Quad Environmental Technologies v. Union Sanitary District, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991), that the filing of a terminal disclaimer to obviate a rejection based on a non-statutory double patenting is not an admission of the propriety of the rejection. The filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption nor estoppel on the merits of the rejection.

In light of the formalistic amendments made herein and the terminal disclaimers filed herewith, all issued raised by the examiner in the official action of 8/21/2003 have been addressed. As such, the claims are asserted to be in a condition for allowance. Applicant requests that a timely Notice of Allowance be issued in this case. If any matters exist that preclude issuance of a Notice of Allowance, the examiner is requested to contact the applicant's representative at the number indicated below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge any fees or credit any overpayment, particularly including any fees required under 37 CFR Sections 1.16 and/or 1.17, and any necessary extension of time fees, to deposit Account No. 07-1392.

Respectfully submitted,



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